FOR MYSORE STATE

H.E.L.A. **(195 5) Department.**

Ms **SERIES.**

G.O. No. 1738 Education.

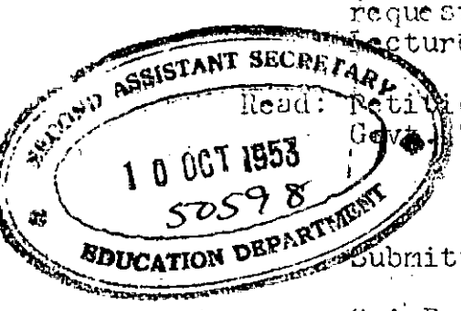
Dated 17th October 195[illegible]

[Despatch Abstract.]

MADRAS EDUCATIONAL SUBORDINATE SERVICE - Sri B.V. Venkatara temporary Assistant Lecturer in Kannada, Government Tra[illegible] College, Mangalore - Regularisation of appointment with the retrospective effect - Ordered.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
Roc. No. 387 C3/52 Dated 3-9-1953

Sub: MADRAS EDUCATIONAL SUBORDINATE SERVICE - Sri B. V. Venkata Raman Asst. Lecturer in Kannada, Govt. Training College, Mangalore -- request for regularisation of temporary appointment as Assistant Lecturer from 18-7-1951 instead of from 28-5-1952.



Read: Petition from Sri B. V. Venkata Ramana, Asst. Lecturer in Kannad Govt. Training College, Mangalore.

p3-15 ante----

Submitted.

Sri B. V. Venkata Ramana is a permanent Deputy Inspector of Schools in the Ist Grade. He was first promoted as temporary Asst. Lecturer in Kannada to handle the Pandits Training Class attached to the Government Training College, Mangalore under the emergency provisions in the Rules on 18-7-1951, and he worked as such till 3-1-1952, the date on which the Pandits Training Class came to a close. Thereafter he was transferred as Asst. Lecturer in Kannada in the Government Training College, Mangalore, and he joined this post on 4-1-1952. He has been and is serving as Asst. Lecturer in the Govt. Training College, Mangalore, eversince. While he was working as Asst. Lecturer in the Govt. Training College, Mangalore, he applied for and was selected for appointment as Asst. Lecturer in Kannada in a Government Training College. The Commission communicated the selection of candidates for appointment as Asst. Lecturers in the Government Training Colleges on (28-5-1952.) His temporary appointment as Asst. Lecturer in Kannada in the Government Training College was regularised with effect from (28-5-1952.) ~~His temporary appointment as Asst. Lecturer in Kannada in the Government Training College was regularised with effect from 28-5-1952.~~ Usually, in cases where persons selected by the Commission are already working in the Department on a temporary basis, their temporary appointment is regularised with effect from the date on which the Commission intimated the selection only if the order of merit indicated by the Commission permit regularisation of temporary appointment from the date of tion of their selection. In the present case, he was the only ate selected by the Commission as Asst. Lecturer in Kannada. his temporary appointment was regularised with effect from the entioned above.

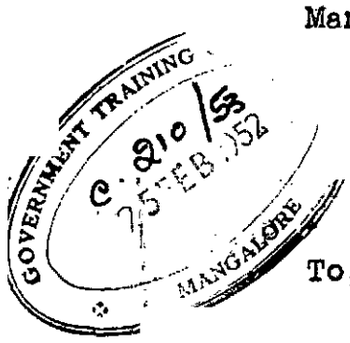
What the petitioner requests now is that his temporary tments as Asst. Lecturer in the Pandits Training Class may be rised. It may be pointed out here that no Ad-hoc rules for st of Asst. Lecturer, Pandits Training Class are framed because a matter not suitable for regularising his temporary appointme Pandits Training Class. Under these circumstances his request dmissible and therefore cannot becomplied with. His petition refore be rejected.

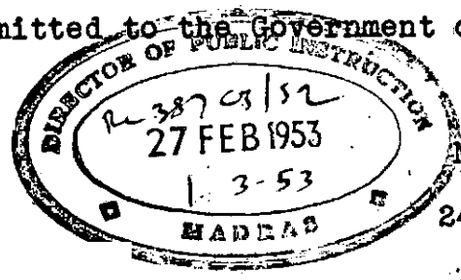
FOR DIRECTOR OF PUBLIC INSTRUCTION.

cretary to Government,
ion Department,

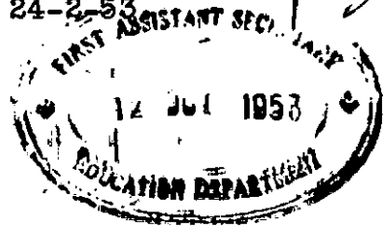
8/10.

Humble Memorial of Sri.B.V.Venkata Ramana,M.A.L.T.,
Assistant Lecturer in Kannada, Government Training College,
Mangalore, submitted to the Government of Madras.





Mangalore
24-2-53



AST IA

To,
The Secretary,
To the Government of Madras,
Department of Education,
Fort St. George, Madras.

Through,
The Director of Public Instruction, Madras,

And,
The Principal,
Government Training College, Mangalore.

Respected Sir,

Sub: Madras Educational Subordinate Service- Regularisation of temporary Service from 18-7-52 to 20-4-52 as Assistant Lecturer in Kannada, Pandit Training Class, and B.T. Class- Government Training College, Mangalore-.

***

Madras General Service Rules for the Madras State and Subordinate Services, in Pros R.C. No.951 C3/51 dated, 2-7-51 of the Director of Public Instruction, Madras, as Assistant Lecturer in Kannada, for Pandit Training Class attached to the Government Training College, Mangalore. This post of Assistant Lecturer in Kannada for Pandit Training Class, Mangalore which was outside the Regular Cadre of Assistant Lecturers in Kannada for Arts Colleges was sanctioned in G.O.Ms.NO.3252 Education, dated,28-10-1949 with a scale of Rs. 150-5-200-10-250.

4. The Memorialist joined the post of Assistant Lecturer in Kannada for Pandit Training Class on 18-7-51, in obedience to the orders of the Director of Public Instruction, Madras, though the appointment under Rule 31 (a) of the Madras General Service Rules deprived him of the personal allowance or Rs.10/- attached to the post of the Headmaster of Secondary Training School and also made him ineligible for a higher stage in the scale of Rs.150-5-200-10-250.

5. There were two posts of Assistant Lecturers in Kannada,in July 1951, at Government Training College, Mangalore viz;-

a)Post of Assistant Lecturer in Kannada for Pandit Training Class with a scale of Rs.150-5-200-10-250, to which the Memorialist was posted under rule 31(a) temporarily. and,

b) Post of Assistant Lecturer in Kannada for B.T. Class carrying the same scale of pay of Rs. 150-5-200-10-250.

Both the posts were not filled up substantively by any person.

6. The post of Assistant Lecturer in Kannada for Pandit Training Class was filled up in January 1950, by Sri.M.Ananda Rao, a candidate selected by the Madras Public Service Commission. In July 1950 he was transferred as Assistant Lecturer in Kannada for B.T. Class and the post of Assistant Lecturer in Kannada for Pandit Training Class was kept vacant until it was filled up by the Memorialist on 18-7-51. Subsequently Sri. M. Ananda Rao , who was acting as Assistant Lecturer in Kannada

(Please turn over)

was revised, and this scale was identical with the cale of pay of the substantive post of the Memorialist.

1. Meanwhile the post of Assistant Lecturer in Kannada for Govt. raining College was advertised for direct recruitment by the Madras ublic Service Commission. The Memorialist finding his chances of ontinuing as Assistant Lecturer in Kannada at Govt. Training - ollege, Mangalore remote, submitted an application to Madras Pub- ic Service Commission in response to its notification.

2. The Madras Public Service Commission selected him for the post f Assistant Lecturer in Kannada for Training Colleges and the Di- ector of Public Instruction, Madras was pleased to regularise his ervices as Assistant Lecturer in Kannada at Govt. Training College angalore with effect from 21-4-52 in the scale of Rs. 165-5-205-10 45, in his Pros. R.C. No-387 C3/52 dated 21-4-52. But his services as Assistant Lecrurer in Kannada, Pandit Training Class, Mangalore from 18-7-51 to 3-1-52 and as Assistant Lecturer in Kannada, B.T. - Class from 4-1-52 to 20-4-52 were not regularised. Thus the benefit given by the G.O. No. 1821 Education dated, 20-6-50 to the Memorial -ist was neutralised.

13. The Memorialist prayed to the Director of Public Instruction, Madras in his letter dated, 8-12-52 for the regularisation of his continuous service from 18-7-51 to3-1-52 and from 4-1-52 to 20-4-52 but he refused to comply with his request in his Pros.R.O.C.No.387 C3/52 dated,26-12-52 without assigning any reason.

14. The Memorialist begs to submit that the Orders of the Director of Public Instruction contained in his R.O.C. No.387 C3/52 dated, 26-12-52 refusing his reasonable request for the regularisation of service which was continuous from 18-7-51 to 20-4-52 have worked to his Disadvantage and have caused him Hardship by depriving him of a higher stage in the scale of Rs.150-5-200-10-250, and the benefits

with effect from 18-7-51, as the Communal G.O. was being revised, and consequently all the regular appointments had to be kept in abeyance in 1951,

ii) That the Director of Public Instruction refused to comply with his request for regularisation of his services from 18-7-51 on the ground that the periods of service prior to a date of selection by the Service Commission could not be taken into account, and that there were seniors to him.

16. With reference to the above the Memorialist begs to state as follows:-

1. After the Communal G.O. was revised the Memorialist's case could have been considered for regularisation of his services, and he should not be made to suffer on account of keeping in abeyance all posts for policy reasons.

2. The post of Assistant Lecturer in Kannada for pandit training class had a distinct cadre of its own Viz. 150-5-200-10-250, and it was outside the regular cadre of Assistant Lecturers in Kannada for Arts Colleges. Since the post was first filled up by a direct recruit the next chance ought to be given to a promotee from the serving personnel as per rules. Therefore in the humble opinion of the Memorialist - the post of Assistant Lecturer in Kannada .Pandit Training - Class of Govt. Training College, Mangalore did not come under the purview of direct recruitment, and the provisions - of G.O. No. 871 Education dated, 10-4-51 should benefit him as he was eligible for and was appointed to the post.

3. The Memorialist begs to submit further that the Madras - Public Service Commission prepares only a list of candidates in order of preference, and Rule 3 of the Madras General - Service Rules only lays down that the appointments should be made in this order of preference. No mention has been made as to the date of appointments in respect of the candidates selected by Madrad Public Service Commission. Therefore

P.T.O

Therefore even though the Memorialist was selected by the Madras Public Service Commission there was no restriction - - placed on the appointing authority to regularise his services from an earlier date.

Further Rule 31(e) of the Madras Service Rules gives discretion to the appointing authority to regularise services from an earlier date in respect of persons promoted under the provisions of Rule (a), and the Memorialist was promoted from the cadre of school-assistants and Deputy Inspectors Grade I under the same Rule 31 (a) Mere selection by the Madras Public Service Commission cannot deprive him of his previous service as Assistant Lecturer in Kannada

17. The Memorialist begs to submit that his name was included in the approved list by the Madras Public Service - Commission only in the order of preference, and that the date of his regular appointment was entirely left to the discretion of the appointing authority. He presumes it is only a narrow interpretation of the Rules quoted above that restricts the discretion of the appointing authority.

18. The Memorialist had a service of 23 years in the combined cadre of school assistants and Deputy Inspectors and a - long record of good work to his credit at the time of temporary promotion in July 1951. He had no seniors at all acting as Assistant Lecturers in Kannada in Training College or Pandit Training Class awaiting regularisation.

19. The Memorialist begs also to submit that both the posts of Assistant Lecturers in Kannada at Govt. Training College (viz one for Pandit Training Class, and the other for B.T. Class) were not filled up substantively by any person during the period of his service from 18-7-51 to 3-1-52 and - 4-1-52 to 20-4-52.

20. The Memorialist acted continuously from 18-7-51 to20-4-52 without a break in the cadre of Assistant Lecturers in Kannada for Pandit Training Class and B.T. Class.

21. Therefore the Memorialist prays:-

P.T.O

21. Therefore the Memorialist prays:-

a) That his case may be considered as individual and Special,

b) That a liberal interpretation may be given to the Rules so that they may not work hard on him and to his disadvan-

c) And that his continuous service from 18-7-51 to 3-1-52 and from 4-1-52 to 20-4-52, as Assistant Lecturer in Kannada Pandit Training Class, and B.T. Class respectively, may be regularised, considering his record of good work and his long service of 24½ years in the Madras Educational Subordinate service.

For which act of kindness the Memorialist will be ever grateful.

Copy of the Pros. of Director of Public Instruction,Madras,
R.O.C. No. 2004,C8/50 dated 8-11-1951.

The Principal is informed that the question of regularisation of the Temporary services of Sri. B.V.Venkataramana as Assistant Lecturer in Kannada will be considered in due course along with others according to seniority and in accordance with the instructions contained in G.O. Ms. No. 871 Edn. dated 10/4/1951 copy communicated in the Directors Proceedings Roc.No.851 C3 C6/50 dated 30/4/51.

Sd.V.K.Krishna Menon.
For Director of Public Instructior

To, The Principal, Govt Training College,
Mangalore.

Copy to Sri.B.V.Venkata Ramana Offg Temporary Asst Lecturer in Kannada
Pandits Training Class attached to Govt. Training College.

[illegible]

Copy of the Pros. of the Director of Public Instruction, Madras.
No. Roc.No. 387-C3/52 dated 26-12-52.

The Principal Government Training College, Mangalore is requested to inform Sri.B.V.Venkata Ramana ,officiating Assistant Lecturer in Kannada that his request to regularise his services with reference to a date prior to 21-4-52 cannot be complied with.

Sd.V.K.Krishna Menon.
For Director of Public Instruction.

/ True Copy

Copy of the Pros. of Director of Public Instruction, Madras,
No. Joc.No. 587-C3/52 dated 26-12-52.

The Principal Government Training College, Mangalore is requested to inform Sri.B.V.Venkata Ramana, officiating Assistant Lecturer in Kannada that his request to regularise his ... with reference to a date prior to 21-4-52 cannot be complied with.

Sd/-K.Krishna Menon.
For Director of Public Instruction.

\ True Copy

[Conf. 5059 84/53]

Edn (A)

Memom 5059 84/53 - I Edn dated 28/10/53

Sub: M.E.S.S. Sri B.V. Venkata Ramana, Asst. Lecturer in Kannada, Govt. Training college, Mangalore - Request for regularisation of temp. appt as Asst. Lecturer from 18-7-1951 withheld of from 28.5.1952

Ref: from the DPI no 387 C3/52, dated 3.9.1953

The DPI is requested to state whether there is any objection to regularise the temp. appointment of Sri B.V. Venkata Ramana as Asst Lec in Kannada, Govt Trg College, Mangalore, with effect from 4.1.1952, the date on which he joined duty as Asst Lec in the Govt Trg College, Mangalore, consequent on the abolition of the Pandits Training class.

19/10/53

The Dir is also requested to state whether the Pandits' Trg. class was not attached to the Govt. Trg. College, Mangalore, in 1951; whether

consequent

consequently, the post of Asst. Lecturer held by Sri Venkataramana at that time was to not be regarded as one in a Trg. College governed by the rules issued in G.O. No. 2160 - Ed. dt. 29.8.57 and that objn. Here is to regularize Sri Venkataramana's appt even from 18.7.54 If, however the post was specifically excluded from the purview of the rules, (the no. & date of) the G.O on the subject must be quoted.

32 BA,BR,GEO—24-12-52

Education Department | Received Registered

From (Name) | To

Designation The Director of Public Instruction, Madras. | The Secretary to Government, Education, Public Health and Local Administration Department, M A D R A S

Station

Enclosures: Roc. No. 387 C3/52 dated 18-11-53

Sir,

Sub; Madras Educational Subordinate Service - Sri B, V. Venkataramana, Asst. Lecturer in Kannada, Govt. Training College, Mangalore - request for regularisation of appointment as Asst. Lect. from 18-7-51 instead of from 28-5-1952.

Ref: Govt. Memo.No. 50598 A/53-1 Edn. dated 28-10-53.

D. 19 cf.

A.E.L.A.(E1) Dyn.

18-11-53.

With reference to the Government Memo. cited, I may state that the matter is being examined and a reply will be submitted to Government shortly.

Yours faithfully,

for Director of Public Instruction.

HELA (Ft)

Memo no 50598/53-Ft-2-Edn dt 6.12.54

Sub:- MESS - Sri B.V. Venkatarao... Asst Lecturer in Kannada, Govt Intg college Mangalore- Regularisation ordering appointment

Ref:- this office memo no. Rec. 387-C3/52 dt 10.11.54

The DPI is requested to expedite her reply in this matter

for 12/12

HELA(E)

Memo No 505-98/53-E1 - Dated 22-6-53

Sub (as on the page) 21 cases

Ref From this DPI No. Rc. 387-08/52 Dt 18.11.53

The DPI is requested to expedite

the reply

2 letters
1954 - 1934

Dy 20/8/54 To

Dy
24-7-54

Education Department

From
The Director of Public Instruction, Madras.

To
The Secretary to Government, Health, Education and Local Administration Department, MADRAS.

Roc. No. 387 C3/52 dated 2-4-1954

35453

Sir

Sub: Madras Educational Subordinate Service - Sri B. Venkataramana, Assistant Lecturer in Kannada, Government Training College, Mangalore - Regularisation of appointment.

Ref: Government Memo. No. 50598/53-E1-3 Education dated 22-3-1954.

With reference to the Government Memo. cited I may state that a reply will be submitted shortly.

Yours faithfully,

for Director of Public Instruction.

AKR. 2/4

Education Department

From

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Health, Education and Local
Administration Department,
ADRAS.

Roc. No.387 C3/52 dated 2-5-1954.

Sir,

Sub: MADRAS EDUCATIONAL SUBORDINATE SERVICE - Sri B. V. Venkataramana, Assistant Lecturer in Kannada grade I, Government Training College, Mangalore - Request for regularisation of temporary appointment from an earlier date than 21-4-1952.

Ref: Government Memo. Nos. - 50598 A/53-1 Edn. dated 28-10-1953 and 50598/53 E1-2 Edn. dated 6-2-1954.

With reference to the Government Memorandums cited, I have the honour to state that Sri B. V. Venkataramana is a permanent Deputy Inspector of Schools in the first grade. He was first posted on 18-7-1951 as temporary Assistant Lecture in Kannada grade I to handle the Pandits Training class attached to the Government Training College, Mangalore under th emergency provisions in the rules. He worked as such till 3-1-1952, the date on which the Pandits Training class came to a close. Thereafter he was transferred as Assistant Lecturer in Kannada in the Government Training College, Mangalore and he joined at this post on 4-1-1952. While he was working as Assistant Lecturer in the Government Training College, Mangalore, he applied for, and was selected by the Madras Public Service Commission for appointment as Assistant Lecturer in Kannada in a Government Training College. The Madras Public Service Commission communicated a list of candidates selected for appointment as Assistant Lecturer in the Government Training Colleges in their letter No. 8050 G1/50-32 dated 14-4-52. He was regularly appointed as Assistant Lecturer in Kannada in the Government Training College, Mangalore with effect from 21-4-1952.

In this connection, I may state that Sri B. V. Venkataramana was regularly appointed to the post of Assistant Lecturer in Kannada in the Government Training College, Mangalore by virtue of his direct recruitment by the Madras Public Service Commission. In the cases of such recruits, who are already in service under emergency provisions they are given the benefit of regular appointment only from the date of Commission's letter communicating the list of candidates selected by them. In view of the principle adopted in the cases of this kind, a different course cannot be recommended for Sri B. V. Venkataramana alone. However, in view of the fact that the selection of Sri B. V. Venkataramana for appointment as Assistant Lecturer in Kannada was communicated by the Madras Public Service Commission in their letter No. 8050 G1/50-32 dated 14-4-52 the services of Sri B. V. Venkataramana can be regularised with effect from 14-4-52 which will be in conformity with the principle hitherto followed. Regularisation from an earlier date in this case will result in similar requests from others similarly placed.

Yours faithfully,

for Director of Public Instruction.

AKR. 3/5

Memo 50598/53-ಪಿ.ಇ-3 ಬೆಂ ದಿ 19.5.54.

Sub M.E.S.S. Sri B.V. Venkataramana Assistant Lecturer in Kannada Grade I, Govt Training College Mangalore - Regularisation of temporary appointment.

Govt Memo no 50598 A/53. 1. Edn dated 28.10.53

From the DPI No. Roc. 387-C3/54 dt 2-5-54

The DPI has not offered any remarks on the points raised in the second and the last sentences contained in the Govt Memo dated

He is requested to send his reply
on this regard very urgently.

2
15.5.54 452
15.5

F. 32 7 —70.10.558—20-1-54.

Department | Received ____ —Registered—

From (Name)

Designation The Director of Public Instruction, Madras.

To

The Secretary to Government, Health, Education and Local Administration Department, MADRAS.

Enclosures ROC. No. 387 C3/52, dated 13-7-1954

Sir,

Sub: MADRAS EDUCATIONAL SUBORDINATE SERVICE - Sri B.V. Venkataramana Assistant Lecturer in Kannada Grade I, Government Training College, Mangalore Regularisation of temporary appointment.

Ref: Government Memorandum No. 50598/53/E.1.3.Edn. dated 19.5.1954.

ASSISTANT SECRETARY TO GOVT. 14 JUL 1954 7057o HEALTH, EDN. & LOCAL ADMN. DEPT.

W 29 amt

Memo 50598/55 - E3 - 4 - Edn 1954

Sub: M.E.S. - Sri B.V. Venkatara-
mana, Asst Lecturer in
Kannada, Govt Trg
College, Mangalore - Regular-
-ation of temporary appoint-
ment.

Ref: From the DPI L.387 C3/52 dt 13.7.54

It is considered that as the Pandits Training class was attached to the Govt Training College, Mangalore in 1951, the post of Asst Lecturer held by Sri B.V. Venkatarmana, at that time, has to be regarded, in the absence of any other specific rules for the post as a temporary addition to the cadre of Asst. Lecturers in Govt Training Colleges governed by the rules issued in G.O. No. 2260 Edn dated 23.8.51 and that the rules issued in that G.O. may be deemed to be applicable to the temporary post of Asst Lecturer in the Pandits Training class in as much as the rules issued

in the G.O. referred to above provide for the appointment to the posts of Asst. Lecturers in Languages Govt. Training College from the cadre of Dy. Inspectors of Schools Gr. I, the D.P.I. is requested to state whether there is any objection to regularise the temporary appointment of Sri Venkataramana from 18.7.51 or 23.8.51 and whether by giving such retrospective effect the interests of other persons will be affected; if so, he is requested to furnish particulars about such persons.

~~2 The Director is also requested to state whether, if the~~

18/8/54

18/8/54

18.8.54

Education Department.

From

The Director of Public Instruction
Madras.

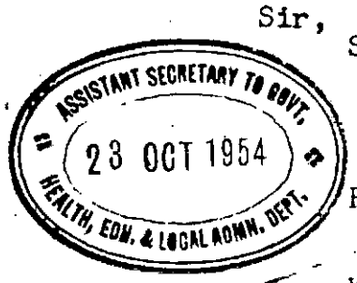
To

The Secretary to Government,
Health, Education and Local Administration Department,
Fort St.George, Madras.

166360

Roc.No.387-C3/52 dated 22-10-1954.

Sir,



Sub: MADRAS EDUCATIONAL SUBORDINATE SERVICE - Sri B.V. Venkata Ramana, Assistant Lecturer in Kannada, Government Training College, Mangalore - Request for regularisation of temporary appointment from a date earlier than 21-4-1952.

Ref: Government Memorandum No.50598/53-E1-4 Edn dated 19-8-1954.

With reference to the Government Memorandum cited, I submit that the posts of Assistant Lecturers in Government Training Colleges including the Lady Willingdon Training College for Women, Madras were constituted as a separate category under class I of the Madras Educational Subordinate Service in G.O.Ms.No.2260 Education dated 23-8-1951 The temporary appointment of Sri B.V.Venkata Ramana as Assistant Lecturer in Kannada in the Government Training Colleges cannot be regularised with effect from 18-7-1951 as this date precedes the date of the G.O.(23-8-1951). In this connection, I invite your kind attention to paragraph (2) of my letter Roc.No.387-C3/52 dated 2-5-1954 and state that Sri B.V.Venkata Ramana was regularly appointed to the post of Assistant Lecturer in Kannada in the Government Training College, Mangalore by virtue of his direct recruitment by the Madras Public Service Commission. In the cases of such recruits, who are already in service under emergency provisons they are given the benefit of regular appointment only from the date of Commission's letter communicating the list of Candidates selected by them. In view of the principle adopted in the case of this kind, a different course cannot be recommended for Sri B.V. Venkata Ramana alone. However, in view of the fact that the selection of Sri B.V.Venkata Ramana for appointment as Assistant Lecturer in Kannada was communicated by the Madras Public Service Commission in their letter No.8050-G1/50-32 dated 14-4-1952 the services of Sri B.V. Venkata Ramana can be regularised with effect from 14-4-1952 which will be in confirmity with the principle hitherto followed

In case his request for regularisation of his appointment as Assistant Lecturer in Government Training Colleges with effect from a date earlier than the date of the Commission's letter, is considered favourably others similarly placed will also claim the same benefit and this will form a precedent. I also submit that Sri B.V.Venkata Ramana is a permanent Deputy Inspector of Schools in the first grade and he is the only officer in the category of Assistant Lecturer in Kannada in the Government Training Colleges.

Yours faithfully,

DIRECTOR OF PUBLIC INSTRUCTION.

BR/22/10.

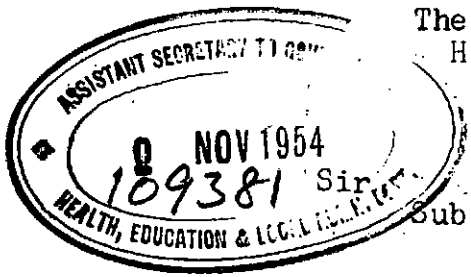
Education Department.

From

The Director of Public Instruction
Madras.

To

The Secretary to Government,
Health, Education and Local Administration Department,
Madras.



Roc.No.387-C3/52 dated 28-10-1954.

Sir,

Sub: MADRAS EDUCATIONAL SUBORDINATE SERVICE - Sri B.V. Venkataramana, Officiating Assistant Lecturer in Kannada - Government Training College, Mangalore - Regularisation of - appointment.

Ref: Government Reminder dated 16-10-1954

***

... reply to the Government Memorandum No.50598/53-E1-4 Edn dated 19-8-1954 has already been submitted in my letter Rc.No. 387-C3/52 dated 22-10-1954.

Yours faithfully,

29.10.54

for Director of Public Instruction.

BR/29/10.

HS A (E1)

Education Department.

From

The Director of Public Instruction
Madras.

To

The Secretary to Government,
Health, Education and Local Administration
Department, Madras

Roc.No.387-C3/52 dated 12-12-1954

Sir,

125229

HER 1(Ed)

Sub: MADRAS EDUCATIONAL SUBORDINATE SERVICE - Sri B.V. Venkataramana, Assistant Lecturer in Kannada, Government Training College, Mangalore - Request for regularisation of temporary appointment from a date earlier than 21-4-1952.

Ref: Government Memorandum No.50598/53-E1-4 Edn dated 19-8-1954 and my letter Rc.No.387-C3/52 dated 22-10-1954.

File send to Pub(Sr)/ Fins Regn files on return

I invite your attention to my letter cited, and request you to let me know whether Government have passed any orders on the subject.

Yours faithfully,

13.12.54

for Director of Public Instruction

21/12

BR/13/12.

13/12

H.E.L.A. (EI) DEPARTMENT

Memo No. 50598/54-E2-6 Dtd 10.1.55

Sub: M.E.S.S. - Sri B.V. Venkata Ramana, Asst Lecturer in Kannada, Govt Training College, Mangalore - Regularisation of appointment.

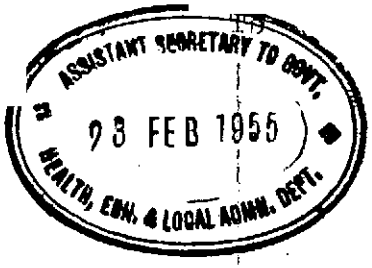
Ref: From the D.P.I No. 387 C3/52 dated 22-10-54.

The opening of the Pandits Training Class in Kannada was at first sanctioned by the Government for a period of three years from 1947-48 in G.O. Ms. No. 818 Education dated 22-4-1947. The Government also sanctioned therein the post of an Assistant Lecturer for the training class on Rs. 120-240 for a period of three years from '47-48. The D.P.I is requested to state whether this post in the Pandits Training Class was not borne in the cadre of Asst Lecturers in Government Colleges, governed by the Special Rules for the M.E.S.S. If this was so, the Director is requested to state

EDUCATION DEPARTMENT

From

The Director of Public Instruction,
Madras.6.



The Secretary to Government,
Health, Education & Local Administration
Department, Fort St. George,
MADRAS.

ROC.No.387.C.3/52, Dated 21-2-1955.

Sir,

Sub:-Madras Educational Subordinate Service - Sri B.V. Venkataramana, Assistant Lecturer in Kannada, Government Training College, Mangalore - Regularisation of appointment.

Ref:-Govt. Memo No.50598/53.E.I-6 Education dated 10-1-1955.

With reference to the Government Memorandum cited, I submit that the post of Assistant Lecturer for the Pandits Training class attached to the Government Training College, Mangalore was not borne in the Cadre of Assistant Lecturers in Government Colleges. In this connection, I also invite your attention to the last paragraph of my endorsement Re.No.387.C.3/52, dated 3-9-1953 wherein I have already pointed out that no AD HOC rules for the post of Assistant Lecturers, Pandits Training class were framed because it was a matter not suitable for regulation by rule, and that there was therefore no question of regularising the temporary appoints of Sri B.V. Venkataramana in the Pandits Training Class

M.E.S.S.- Sri B.V.Venkataramana, tempy. Asst. Lecturer in Kannada, Govt. Trg. College Mangalore - Regularisation of appt. with retrospective effect - Ordered.

Read: From Sri B.V.Venkataramana, petition d/-24.2.53.
From the D.P.I. No.387.C3/52 d/ 3.9.53. and 21-2-55.

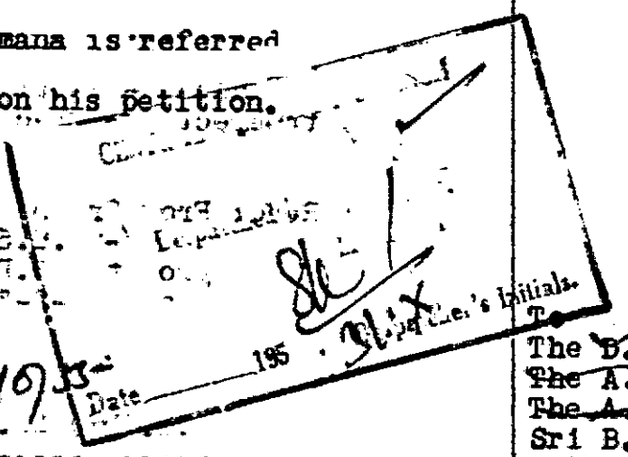
G.O.(MS) NO. 1738 EDN., D/- 17.10.55

The D.P.I. is informed that, inasmuch as the post of Asst. Lecturer, Pandits' Trg. Class attached to the Govt. Trg. College, Mangalore, and the post of Asst. Lecturer, Govt. Trg. College, Mangalore, carried identical scale of pay (Rs.165-245) in the M.E.S.S., they should be treated as belonging to one and the same cadre and the rules issued in G.O.Ms.No.2260 Edn., d/-23.8.51, shd. be deemed to have governed the tempy. post of Asst. Lecturer in the Pandits' Trg. Class as well. Under the rules referred to, Sri B.V.Venkataramana was ~~fully qualified~~ eligible for promotion to the post of Asst. Lecturer on 23.8.51. There is no reason why his services in the category of Asst. Lecturers in Trg. Colleges should not ~~therefore~~ be regularised w.e.f. that date. The Dir. is requested to issue orders ~~accordingly~~, regularising the appt. from 23-8-51, subject to the condition that Sri Venkataramana will not be entitled to any arrears of pay and allowances, consequent on the regularisation ~~of tempy. appt. with retrospective effect~~.

2. Since Sri B.V.Venkataramana was selected by the M.P.S.C. for appt. as Asst. Lecturer by direct recruitment also, the D.P.I. is requested to require him to relinquish his claim for the post as a

direct recruit.

3. Sri B.V. Venkataramana is referred to the D.P.I. for orders on his petition.



15/10/53

To

The D.P.I. (in full)
~~The A.G. thro' Fin.~~
~~The A.G. direct~~
Sri B.V. Venkataramana
thro' D.P.I. — for 1 only.

SC.

H.E.L.A. DEPT.(E1)

Sub:-M.E.S.S. - Sri B.V. Venkataramana, Asst. Lecturer in Kannada, Grade I - Govt. Trg. College, Mangalore - Regularisation of temporary appointment.

Read:-From the D.P.I., No.387 C3/52, dt. 3-9-53, 2-5-54 and 13-7-54. 22104

From Sri B.V. Venkataramana, dt. 24-2-53.

Sri B.V. Venkataramana is a permanent Deputy Inspector of Schools - I Grade. In G.O. Ms. No.1821, Edn. dt. 20-6-50

from 14-4-52, the date of the Commission's letter instead of from 21-4-52, so as to be in conformity with the principle followed in such cases. He adds that regularisation from an earlier date in this case will result in similar requests from others similarly placed.

3. According to the ad hoc rules issued for the posts of Asst. Lecturers in Govt. Trg. Colleges, appt& to the posts is:-

(a) by direct recruitment;

(b) from among Asst. Professors, Asst. Lecturers, Dy. Insprs. and School Assts. and Headmasters, Gr. I; o

(c) by promotion from among Dy. Insprs., School Assts. and Headmasters, Gr. II, Asst. Lecturers in Languages other than English (Gr. II), Tutors and Demonstrators and Pandits and Munshis (Gr. I) working in institutions other than Colleges; or

(c) by recruitment by transfer from any other service.

The Pandits Trg. class was attached to the Govt. Trg. College, Mangalore during the year 1951. The D.P.I. states that no ad hoc rules for the post of Asst. Lecturer in the Pandit Trg. Class were framed as, it being a short temporary post, was not a matter suitable for regulaion by rule. He adds that there is no order also excluding the post from the purview of the rules. He states that the post of Asst. Lecturer in the Pandits Trg. Class held by Sri Venkataramana cannot therefore, be regarded as one in a Trg. College governed by the rules issued in G.O. Ms. No.2260, Edn. dt. 23-8-51 and that the question of regularisation of his temporary appointment in the Pandits Trg. Class does not arise.

4. It is submitted that as the Pandits Trg. Class was attached to the Govt. Trg. College, Mangalore, in 1951, the post of Asst. Lecturer held by Sri Venkataramana at that time has, in the absence of any other specific rules for the post, to be regarded as a temporary addition to the cadre of

Asst. Lecturers in Govt. Trg. Colleges, governed by the rules issued in G.O. Ms. No.2260, Edn. dt. 23-8-51; and that the rules issued in that G.O. must, it seems, be deemed to be applicable to the temporary post of Asst. Lecturer in the Pandits Trg. Class.

5. As may be seen from para 3 above, the rules provide for appt. to the posts of Asst. Lecturers from the cadre of Dy. Insprs. of Schools - Grade I. The appt. of Sri B.V. Venkataramana by transfer from the category of Dy Insprs. and School Assts., Grade I was made in 1951. At the time of his temporary appointment he was qualified for such promotion. The direct selection of Sri Venkataramana by the Commission was made in 1952, i.e. long after he was appointed as Asst. Lecturer under the emergency provisions. It, therefore, only stands to reason that it would be unfair to deny him regular appointment as Asst. Lecturer by promotion from an earlier date, ~~x~~ when on that date he was qualified for such promotion and when the

~~of~~ Sri B.V. Venkataramana's services are to be regularised from an earlier date, then it would form a ~~precedure of~~ precedent and others similarly placed will also claim the same benefit.

~~In the circumstances~~, Pub.(Ser.) may kindly advise whether there is any objection to regularising the services of Sri B.V. Venkataramana from 23-8-51 the date of the GO. or whether his services can be regularised only from 14-4-52 as maintained by the D.P.I.

The file may be sent to Pub.(Ser.) and Fin. for remarks.

21.11.1952 22/11/52

Public (Services) Dept. 25/11/52

Public (Services) Departme

Submitted that H.E.L.A. may be requested to put up G.O.No.2260, Education, dated 23-8-1951 and the G.O. in which the method of recruitment and qualification etc. for the post of Asst. Lecturer in Kannada to handle the Pandit's training class attached to the Govt.Training College, Mangalore were laid down. It appears that Sri B.V. Venkataramana was qualified for promotion as Asst. Lecturer in Govt.Training Colleges at the time of his temporary appointment to the post. If so, it is not clear why his appointment was not regularised until he was selected by the M.P.S.C. for appointment by direct recruitment. H.E.L.A. may offer their remarks on this point also.

10.12.54 HELA.

10/12/1954.

With ref. to the remarks of Pub above a draft memo to the DPI is subd for approval.

8.1.55

10/1/55

ASSISTANT SECRETARY TO GOVERNMENT HEALTH, EDUCATION & LABOUR

In the circumstances, Sri B.V.Venkataramana's service can be regularised only from 14-4-1952 as maintained by the D.P.I.

The file may be passed on to Finance.

28.4.55.

ATa
27.4.55

28/4/55.

Fin

Pub(Ser-A)
D.O.No. 1874/55-1
27.4.55.

Finance(ET)

The case relates to the regularisation of the temporary appointment of Sri B.V. Venkataramana, Hindi lecturer in Kannada with retrospective effect. The notes from p1 above may be perused

ADDITIONAL 34193 28 APR 1955 ET

With reference to the proposal at A ntp 4 above, the Pub (Ser) Dept have pointed out that the scales of pay attached to the post of Hindi lecturers in Kannada in the Govt. T. College Mangalore and in the Pandits Trg Class attached to the above college are diff and that service rendered in one post cannot be taken to have been rendered in the other po

only in the scale of pay of Rs 165-245 for the period he acted as Asstt. Lecturer in Kannada in the Pandits' Trg. class attached to the Govt. Trg. College, Mangalore. However in view of the reasons explained by the D.P.I. on pp 35 & 43 cf it does not seem

Please see the notes above. Both the Pub (Ser) and the Fin Depts are of the views that Sri. B.V. Venkatramana's services as Asst. Lecturer in Kannada in Govt. Trg. Colleges can be regularised only with effect from 14.4.52, the date of the Commissnr's letter, as maintained by the Dpd. They also conside that no arrears of pay and allowances consequent on the regularisation with retrospective effect need be paid

The Dir.'s objection can be met by asking the Asst. Lecturer to relinquish his claim for the post as a direct recruit in case he elects himself to be treated as a promotee. Recently, in another similar case, that of Sri Appa Rao, the Govt. adopted this procedure - Vide G.O.923-Edn., d/- 19-5-55. No arrears of pay need be allowed to Sri Venkataramana ~~increase~~ consequent on the regularization of his appt. with retrospective effect.

Pub.(Ser.) and Fin. may see for further remarks in the light of the precedent refd. to above.

R.

Public (Ser.)
10/9/55 Fin

In this view, this department need not object to the regularisation of the temporary service of Sri B. V. Venkataramana from 23-8-1951 onwards

Since Sri B.V. Venkataramana has been selected by the Commission for appointment as Asst. Lecturer by Direct recruitment also, the regularisation may be subject to the condition that he relinquishes his rights to the above post as a direct recruit. ~~Extra~~ pay need not also be allowed.

The file may be passed on to Finance.

KPS
16.9.55

20.9.55

Fin

Pub(Ser. A) U.O.No. 4002/55-1
20.9.55.

DEPUTY SECRETARY TO GOVERNMENT
20-SEP 1955
FINANCE DEPARTMENT

Finance (ET)

(Re Fin note on p. 6-7 above)

Since further notes from P & above may be perused. ~~Some other observations need emphasised.~~

Finance may agree with the views of Pub (Ser) at 'M' above

20/9/55

20/9/55

Fin. U.O. 73019/ET-1
2010

ASSISTANT SECRETARY TO GOVT.
97762
30 SEP 1955
HEALTH, CON. & LOCAL ADMN. DEPT.

to this dept's proposal. Pub (Ser) and Fin have agreed
A draft order is submd.
for approval

Loo
17/10/55

15/10/55

(P.O. 17 ~~10~~ 55)